

FREJKA PLLC
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*Attorneys for Story Family Trust #3, Theodore Story, Cynthia Story, Warren B. Kahn, and
Samantha Story*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT SECURITIES
LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of Bernard
L. Madoff Investment Securities LLC,

Plaintiff,

v.

STORY FAMILY TRUST #3, THEODORE STORY,
individually and as trustee of the STORY FAMILY TRUST
#3, CYNTHIA STORY, individually and as trustee of the
STORY FAMILY TRUST #3, WARREN B. KAHN as
trustee of the STORY FAMILY TRUST #3, and
SAMANTHA STORY,

Defendants.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 10-05159 (SMB)

NOTICE OF SUBSTITUTION OF COUNSEL AND PROPOSED ORDER

PLEASE TAKE NOTICE that the law firm of Frejka PLLC, 733 Third Avenue, New York, New York 10017, shall be substituted in place of the law firm of Golenbock Eiseman Assor Bell & Peskoe LLP, 437 Madison Avenue, New York, New York 10022 as counsel of record for Story Family Trust #3, Theodore Story, Cynthia Story, Warren B. Kahn, and Samantha Story (the “Defendants”) in this adversary proceeding. All notices given or required to be given in this adversary proceeding shall be given to and served upon the following:

FREJKA PLLC
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PLEASE TAKE FURTHER NOTICE THAT the Defendants have knowledge of and consent to this substitution of counsel.

Dated: New York, New York
June 16, 2015

Dated: New York, New York
June 16, 2015

GOLENBOCK EISEMAN ASSOR
BELL & PESKOE LLP

FREJKA PLLC

By: /s/ Jonathan L. Flaxer
Jonathan L. Flaxer
Michael S. Weinstein
437 Madison Avenue
New York, New York 10022
Telephone: (212) 907-7327

By: /s/ Elise S. Frejka
Elise S. Frejka
Jason S. Rappaport
733 Third Avenue
New York, New York 10017
Telephone: (212) 641-0800

Dated: New York, New York
June __, 2015

SO ORDERED:

HON. STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT SECURITIES
LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation of
Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

STORY FAMILY TRUST #3, THEODORE STORY,
individually and as trustee of the STORY FAMILY
TRUST #3, CYNTHIA STORY, individually and as
trustee of the STORY FAMILY TRUST #3, WARREN B.
KAHN as trustee of the STORY FAMILY TRUST #3, and
SAMANTHA STORY,

Defendants.

Adv. Pro. No. 10-05159 (SMB)

DECLARATION OF ELISE S. FREJKA

I, ELISE S. FREJKA declare as follows:

1. I am a member of the firm of Frejka PLLC and a member of the Bar of this Court.

Pursuant to Local Civil Rule 1.4 of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, I submit this declaration in support of the accompanying notice and proposed order substituting Frejka PLLC for Golenbock Eiseman Assor Bell & Peskoe LLP as counsel for Story Family Trust #3, Theodore Story, Cynthia Story, Warren B. Kahn, and Samantha Story (the “Defendants”) in the above-captioned adversary

proceeding. I also have read Local Bankruptcy Rule 2090-1 of the Local Rules of the United States Bankruptcy Court for the Southern District of New York.

2. The Defendants have requested and consent to this substitution of counsel.

3. It is not expected that any delay or prejudice will result to any party in this proceeding from this substitution of counsel.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York
June 16, 2015

By: /s/ Elise S. Frejka
Elise S. Frejka